

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CHERRYL OLIVER,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:24-cv-275-ECM
)	
ERIC MACKEY, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On November 20, 2025, the Magistrate Judge entered a Recommendation (doc. 34) to which no timely objections¹ have been filed. Upon an independent review of the file and upon consideration of the Recommendation, it is

ORDERED as follows:

1. The Magistrate Judge’s Recommendation (doc. 34) is ADOPTED;
2. The Defendants’ motion to dismiss (doc. 24) is GRANTED to the extent that the Plaintiff’s Title VII and equal protections claims are DISMISSED, and DENIED as moot to the extent it seeks dismissal of the construed state law claims;

¹ Objections were due on December 4, 2025. (*See* doc. 34 at 11). On December 8, 2025, the Plaintiff filed a motion requesting compensation and removal of the allegedly unlawful revocation of her teaching certificate, in which she says she “once again object[s] to the judge trying to dismiss her lawsuit.” (Doc. 35). To the extent the Plaintiff intended this filing to operate as an objection to the Magistrate Judge’s Recommendation, the objection is untimely, and she fails to explain why she was unable to meet the December 4, 2025 deadline. Moreover, even if the objection was timely, it is insufficiently specific to warrant *de novo* review. *See LoConte v. Dugger*, 847 F.2d 745, 750 (11th Cir. 1988) (“Whenever any party files a timely and specific objection to a finding of fact by a magistrate [judge], the district court has an obligation to conduct a *de novo* review of the record with respect to that factual issue.”). For these reasons, the Plaintiff’s objection is overruled.

3. The Plaintiff's Fourteenth Amendment procedural due process claim remains pending;

4. This case is REFERRED back to the Magistrate Judge for further proceedings.

DONE this 10th day of December, 2025.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE